

FORM PTO-1390  
(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

EU 01083

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/500884

INTERNATIONAL APPLICATION NO.  
PCT/US03/00532INTERNATIONAL FILING DATE  
8 January 2003PRIORITY DATE CLAIMED  
8 January 2002TITLE OF INVENTION  
PORPHYRINS WITH VIRUCIDAL ACTIVITYAPPLICANT(S) FOR DO/EO/US  
COMPANS, Richard W.; MARZILLI, Luigi G.; SEARS, Amy E.; and DIXON, Dabney W.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
Application Data Sheet; Return Postcard

U.S. APPLICATION NO. (if known) <b>10/500884</b>		INTERNATIONAL APPLICATION NO. PCT/US03/00532		ATTORNEY'S DOCKET NUMBER EU 01083	
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<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b> <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				\$	730.00
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	44 - 20 =	24	x \$18.00	\$	432.00
Independent claims	2 - 3 =	0	x \$86.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1,162.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	581.00
<b>SUBTOTAL =</b>				\$	581.00
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				\$	581.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	581.00
				Amount to be refunded:	\$
				charged:	\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50-3129 in the amount of \$ 581.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-3129. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Patrea L. Pabst  
Pabst Patent Group LLP  
400 Colony Square, Suite 1200  
1201 Peachtree Street  
Atlanta, GA 30361

\_\_\_\_\_  
SIGNATURE  
Patrea L. Pabst

\_\_\_\_\_  
NAME  
31,284

\_\_\_\_\_  
REGISTRATION NUMBER

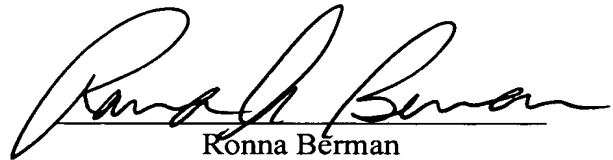
International Application No.: PCT/US03/00532  
International Filing Date: 8 January 2003  
**EXPRESS MAIL TRANSMITTAL LETTER FOR  
PATENT APPLICATION AND CERTIFICATE OF MAILING**  
Express Mail Label No.: EV 531 598 640 US  
Date of Deposit: 7 July 2004

10/500884  
DT04 Rec'd PCT/PTO 07 JUL 2004

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, 6 May 2004, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Number EV 531 598 640 US addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 7 July 2004

  
Ronna Berman

10/500884

DT04 Rec'd PCT/PTO 07 JUL 2004

**IN THE UNITED STATES RECEIVING OFFICE FOR THE  
PATENT COOPERATION TREATY**

Applicants: COMPANS, Richard W.; MARZILLI, Luigi G.;  
SEARS, Amy E.; and DIXON, Dabney W.

International Application No: PCT/US03/00532  
International Filing Date: 8 January 2003

U.S. Serial No:  
Filed: 7 July 2004

Express Mail Label No: EV 531 598 640 US  
Date of Deposit: July 7, 2004

For: *PORPHYRINS WITH VIRUCIDAL ACTIVITY*

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL TRANSMITTAL LETTER  
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 371 and 37 C.F.R. § 1.10, applicants enclose a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) of PCT/US03/00532 entitled "*Porphyrins With Virucidal Activity*", filed in the United States Receiving Office for the PCT on 8 January 2003, which claims priority to U.S. Serial No. 60/347,197 filed 8 January 2002, a Preliminary Amendment, an unexecuted Declaration for Patent Application, and authorization to charge our Deposit Account No. 50-3129 in the amount of \$581.00 which represents the filing fee under 37 C.F.R. § 1.492(a)(1)-(5) for a small entity.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-3129.

This application is being filed on 7 July 2004, by mailing the Transmittal Letter to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

10/500884

International Application No.: PCT/US03/00532  
International Filing Date: 8 January 2003  
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via the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10. The Express Mail label number appears in the heading of this paper which is attached to the Transmittal Letter.

All correspondence concerning this application should be mailed to:

Customer No. 23579  
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PABST PATENT GROUP LLP  
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Atlanta, GA 30361

Telephone: (404) 879-2151  
Fax: (404) 879-2160

Respectfully submitted,



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Patrea L. Pabst  
Registration No. 31,284

Date: July 7, 2004

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